



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/280,699	03/30/1999	TAKAHIRO MATSUMURA	990377	6201
38834	7590	05/21/2004		
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036				
			EXAMINER CRAVER, CHARLES R	
			ART UNIT 2682	PAPER NUMBER 28

DATE MAILED: 05/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/280,699

Applicant(s)

MATSUMURA, TAKAHIRO

Examiner

Charles R Craver

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,7,10 and 16-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,7,10 and 16-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 26.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2682

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 7, 10 and 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ushiki et al, JPO Laid-Open Application 9-259391.

Claims 1, 4, 10, 16, 17, 19 and 20: Ushiki discloses a telephone set identifying method and apparatus for utilizing a first section for identifying a type of portable telephone set to which a data processing apparatus (1) is coupled via a port (FIG 1), comprising the steps of identifying the type of device attached in response to a received identification signal (reads operation start signal) from the first section received at a data interface part of the mobile device (PARA 0026). Ushiki further discloses that the signal sent is of the communication protocol and information is set indicating the protocol corresponding to the type of telephone set (PARA 0026).

Ushiki fails to disclose that the type of phone includes one capable of communication while moving and one which does not.

Urabe discloses that digital phones in Japan, such as those taught by Ushiki, may comprise personal cellular, suitable for moving, and PHS phones, which are not (col 1 lines 12-31). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the system of Ushiki to identify the digital phones of Urabe, as Urabe states that they are the types of digital phones used in the environment to which Ushiki is applied.

Claims 7 and 18: Ushiki discloses a telephone set identifying method and apparatus for utilizing a first section for identifying a type of portable telephone set to which a data processing apparatus (1) is coupled via a port (FIG 1), comprising the steps of identifying the type of device attached in response to a received identification signal (reads operation start signal) from the first section received at a data interface part of the mobile device (PARA 0026). Ushiki further discloses that the signal sent is of the communication protocol and information is set indicating the protocol corresponding to the type of telephone set (PARA 0026).

Ushiki fails to disclose that the type of phone includes one capable of communication while moving and one which does not.

Urabe discloses that digital phones in Japan, such as those taught by Ushiki, may comprise personal cellular, suitable for moving, and PHS phones, which are not (col 1 lines 12-31). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the system of Ushiki to identify the digital phones of Urabe, as Urabe states that they are the types of digital phones used in the environment to which Ushiki is applied.

Ushiki further fails to disclose that the CPU is a part of a PC card, however, such an interface was notoriously well-known at the time of the invention, as evidenced by col lines of Lintula et al, US Pat 5,884,190, and as such the examiner takes Official Notice of such a feature, asserting that it would have been obvious to one of ordinary skill in the art at the time of the invention to add such a feature to Ushiki so as to use a

standardized package for the connector and connection means, reducing manufacturing costs.

Claim 21: Ushiki discloses that the identified system is reported to the data processing system (PARA 0026).

Response to Arguments

Applicant's arguments with respect to claims 1, 4, 10 and 20 have been considered but are moot in view of the new ground(s) of rejection.

Regarding the prior Double Patenting rejection, it has been withdrawn.

Applicant's arguments filed 2-20-04 regarding claims 7 and 18 have been fully considered but they are not persuasive.

While Ushiki fails to disclose a PC card, the examiner has noted in the rejection above that such a feature was so well known at the time of the invention that one of ordinary skill in the art would have been motivated to use Ushiki in such a means, considering that mobile phone systems have been integrated into PC cards for many years. For this the examiner has cited new reference Lintula to show that using a PC card to connect to a mobile device was well-known at the time of the invention.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lintula and Griffith disclose PC card connections to mobile devices.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 872-9314 for both formal and informal/draft communications, labeled as such.

Hand delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington VA, sixth floor (receptionist).

Any inquiry concerning this or earlier communications from the examiner should be directed to examiner Charles Craver at (703) 305-3965.

Art Unit: 2682

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Vivian Chin, can be reached at (703) 308-6739.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at (703) 305-4700.

CC

C.Craver

May 14, 2004


CHARLES CRAVER
PATENT EXAMINER